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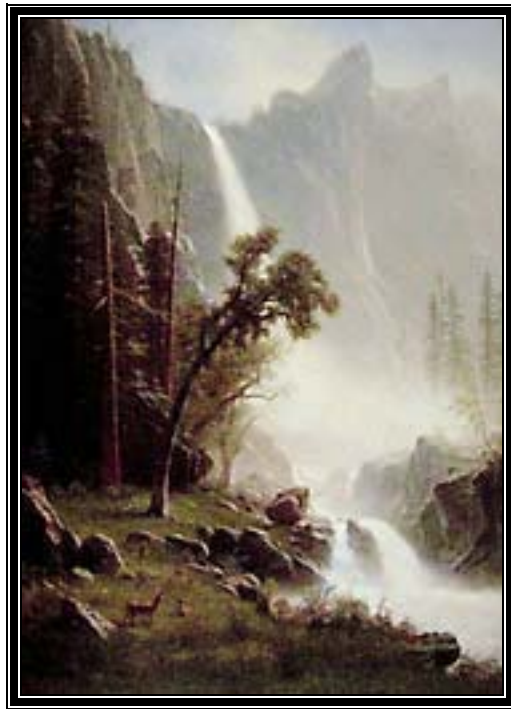
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# Redefining “Unimpaired”: The Evolution of the National Parks Mission, 1872-1933.



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*The idea of national parks has long conjured particular images for people, from the vast, majestic landscapes of Yellowstone, to the Park Service or possibly even preservation. With the overwhelming mission statement of the 21<sup>st</sup> century National Park Service, very few people know or even understand the troubled history behind the parks. The following analysis focuses on Yosemite and Yellowstone National Park, not only because of their popularity, but because they remain the oldest, largest, and most well known establishments. The current battle between use and preservation of the parks remains embedded in the histories of the two major parks, both which serve as outstanding examples of policy failure driven by aesthetic and utilitarian use. Created years before America was prepared to manage with the parks, changing attitudes and perceptions regarding their purpose and use compromised the preservation of pristine natural conditions, while the policies designed to protect the parks repeatedly failed. Left essentially undefined, preservation was an unclear secondary objective to the use and development of the parks.*

## **National Parks Origins & Concepts: The Beginning**

“...Which purpose is to conserve the scenery and the natural and historic objects and the wild life therein and to provide for the enjoyment of the same in such manner and by such means as will leave them unimpaired for the enjoyment of future generations.”

March 1, 1872. A bill barely one page in length slipped quietly through Congress in the early morning hours. Short as it was, the document—known as the Yellowstone Park Act—marked the establishment of the first “national park”. In the following years, the act remained largely obscure, meaning little to the average nineteenth century American. Yet the Yellowstone Act of 1872 is often attributed with the immense role of having paved the way for changes in societal perceptions of nature and government policy towards wilderness preservation. Unfortunately, time revealed the act to be nothing more than a dedication of land—an outline of public land use based on utilitarian principles. Established years before America knew how to deal with the parks, emphasis

was placed on development rather than “unimpaired” preservation—the later remaining unclear and all too often, undefined. These policies, or lack thereof, subjected national parks to decades of abuse, vandalism, and exploitation, leaving in its wake a long history of failure. However, the importance of these policy failures is reflected in the mere fact that the parks were established—and survived—at all.

Instead of the momentous and radical policy change it was thought to represent, the 1872 Yellowstone Act remained almost a “historic anomaly rather than a trendsetter in public land policy”<sup>1</sup>, an assertion maintained by National Park Service historian Richard Sellars. Yellowstone and Yosemite Parks represent what Sellars referred to as the “cooperative effort between government and private business to use the resources of the publicly owned lands, particularly in the West.”<sup>2</sup> These two parks, along with those created afterwards, suffered from lack of funding, administrative corruption, poor management, and unprecedented blunders in preservation science. At the core of these problems lay the vague and undefined policies, which were frequently subjected to a variety of interpretations. The Yellowstone and Yosemite Park Act both specifically called for the preservation of “all timber, mineral deposits, natural curiosities, or wonders,” ultimately retained “in their natural condition”.<sup>3</sup> Yet these key provisions went undefined, allowing the lack of explanation and the inadequacy of the policies to create a vacuum of ambiguity—later to be filled by self-interests and greed.

The 1800s proved to be pivotal years in United States, during which America’s preconceptions of nature and wilderness underwent dramatic changes. Having recently

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<sup>1</sup> Richard West Sellars, *Preserving Nature in the National Parks* (London: Yale University Press, 1997), 11.

<sup>2</sup> Ibid., 89.

<sup>3</sup> Roderick Frazier Nash, *Wilderness and the American Mind*, (London: Yale University Press, 2001), 113.

acquired its independence from Europe, America was a young country struggling to maintain its nationhood against the impressive past of the former. 21<sup>st</sup> century historian Roderick Frederick Nash argued that the “short history, weak traditions, and minor literary and artistic achievements” were poor comparisons against the rich backdrop of Europe.<sup>4</sup> As a result, Americans pressed for a new set of standards by which they could justify their nationhood—wilderness.

The emergence of a new definition of “American” based on the idea of the nation’s unmatched wilderness enabled the country to feel unique and worthy of its new, although short, heritage.<sup>5</sup> Wilderness was the embodiment of America, a physical symbol of the pioneer’s struggle and the battle between good (civilization) and bad (wilderness). 18<sup>th</sup> century perceptions of nature as “solitary, mysterious, and chaotic”—words that once connotated negative images of wilderness—were now coveted as being crucial and defining American characteristics.<sup>6</sup> Decades later in 1890, Frederick Jackson Turner recaptured America’s focus on its identity when he published a groundbreaking article in which he claimed the frontier was closed. America had finally been civilized, and the endless wilderness that was once thought impossible to completely inhabit was now undeniably limited in expanse. The realization that the crucial and defining symbol of American democracy and lifestyle was suddenly gone, compromised by the endless expansion of cities and populace, resulted in national parks being once again seen as sources for renewal and enjoyment.<sup>7</sup>

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<sup>4</sup> *For more discussion on the theory of the emergence and impact of scenic nationalism, in “Wilderness and the American Mind”, Nash, 67.*

<sup>5</sup> See Nash, *Wilderness and the American Mind*.

<sup>6</sup> *Ibid.*, 16

<sup>7</sup> *Nash further discusses the impact of Turner’s thesis on the American psyche and the impact it had on the U.S. in 1890 in “Wilderness and the American Mind”.*

21<sup>st</sup> century historian Alfred Runte suggested this “scenic nationalism” not only drove Americans to seek a distinct standard of equality, but further enflamed a growing fascination in landscape art. This interest in national scenery produced a new surge of awareness for the currently existing Romantic Movement, an art style in which intense emphasis was placed on exceptional wonders or natural curiosities. Focus shifted towards landscapes that were unduplicated elsewhere in the world—the high, rugged mountains and valleys, “colossal and full of savage grandeur” in character.<sup>8</sup> With the formation of the Hudson River School of Art years earlier in 1825, American painters such as Thomas Cole (also the school’s founder), Albert Bierstadt, Thomas Moran, and Frederic Church had already begun to step away from simply mimicking European subject matter in order to focus on the panoramic depictions of the Great West.<sup>9</sup> Often exaggerated and embellished, the landscape paintings nonetheless helped increase the public desire to not only see, but reserve, these natural wonders for future enjoyment.

In spite of this overwhelming and sudden desire, the new fascination with scenic landscapes left wilderness virtually ignored, neglected by the persistent hunt for “exquisite wonders”. These “novelties of rare and curious character” accumulated and retained immense value as being worthy of protection, while subsequent appreciation for common nature diminished.<sup>10</sup> Initial advocates of scenic nationalism were largely unconcerned with substandard nature, and “acted to prevent private acquisition and exploitation of geysers, hot springs, waterfalls, and similar curiosities.” Any preservation

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<sup>8</sup> U.S. Senate. *Letter from the Secretary of the Interior, accompanying a report from the Superintendent of the Yellowstone National Park for the year 1872*. 42<sup>nd</sup> Cong., 3<sup>rd</sup> Sess., 1873, 7.

<sup>9</sup> Alfred Runte, *National Parks: The American Experience*, (Nebraska: University of Nebraska Press, 1997), 23.

<sup>10</sup> *Ibid.*, 7.

of wilderness happened unintentionally.<sup>11</sup> Based on their retention of the world's finest pictorial landscapes, the parks were destined to serve one purpose: to become the nation's playgrounds, "without any rival in the world."<sup>12</sup> Described as "wonderful freaks of physical geography," the parks became the center of a battle between use and preservation.

It is important to momentarily pause and comprehend the dynamics of this shift from wilderness as a bad entity and the push for private ownership of land, to the incredible fascination with nature and desire to preserve it. This unprecedented development occurred during a period of time when the United States government realized that excessive, unclaimed land was worthless and unprofitable. What ensued were large scale attempts to place public land into the hands of private individuals, primarily through tools such as homesteading acts, mining and timber laws, and railroad grants. During what is referred to as the Disposal Era, the government successfully distributed millions of acres of land to private owners. Although designating Yellowstone as a park ultimately removed it from any private ownership, the potential economic benefits of tourism and enterprises within the park were sufficient enough to legitimize the proposal. The goal of the United States government was to open the parklands to public visitors and provide them access and accommodation, both made possible through private companies interested in competing for marketable prospects.<sup>13</sup>

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<sup>11</sup> Nash, 108.

<sup>12</sup> U.S. House Committee on Appropriations, *Improvement and Management of national parks. Letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of the Interior relating to the administration of the appropriations for the improvement and management of national park, and submitting an item of legislation relating thereto*. 64<sup>th</sup> Cong., 1<sup>st</sup> Sess., 1916, 3.

<sup>13</sup> House Committee, *Improvement and Management*, 4.

It may have been the 19<sup>th</sup> century painter George Catlin who first dreamed of the park idea nearly fifty years before the creation of Yellowstone when, in 1832, he proposed a “magnificent park” complete with Indians, buffaloes, and wilderness.<sup>14</sup> While Catlin’s park was nothing like those eventually established, the concept of reserving land for recreation and use was clearly gaining momentum. Thirty years later, concrete efforts were under way to set aside fifteen miles of valley land set deep within Yosemite, California. Already with their sights on the land, entrepreneurs, gold prospectors, and squatters threatened to destroy the pristine virtue of the valley, while inconsistencies within federal land laws simultaneously made the valley an easy target for private interests. After witnessing first-hand the valley’s threatened stability Israel Ward Raymond, the California state representative for the Central American Steamship Transit Company of New York, set a letter on February 20, 1864 to California Senator John Conness, in which he urged the preservation of Yosemite Valley and the Mariposa Grove as a state reserve.<sup>15</sup> Within his letter, Raymond stressed that such a reservation be “inalienable”, a term that would remain at the core of the national park image. The bill proposal, rewritten and embellished by Conness, directly played off the growing need for American pride and patriotism, and on June 30, 1864, President Abraham Lincoln signed the Yosemite Park Act into effect.

However important as it was, Yosemite Park merely underscored the significance of Yellowstone, the “first” national park dedicated eight years later.<sup>16</sup> Not surprisingly, prospectors and industrial companies found the idea of permanently reserving a tract of

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<sup>14</sup> Nash, 101.

<sup>15</sup> Alfred Runte, *Yosemite: The Embattled Wilderness*, (USA: University of Nebraska Press, 1990), 18.

<sup>16</sup> *Yosemite National Park was signed into effect on October 1, 1890, 18 years after Yellowstone. Representative William Vandever of Los Angeles introduced the bill on March 18, 1890.*



land and making it inaccessible extremely undesirable. Such use of invaluable resources was wasteful, especially within the context of a rapidly developing nation. Regardless, Yosemite Valley had succeeded in being “held for public use, resort and recreation,” and left “inalienable for all time.”<sup>17</sup> The purpose of such reservation was clear—to provide for the public a recreational ground for all classes and stature in life. Unfortunately, the legislative bill for Yosemite Park lacked reference to monetary appropriations or, more importantly, regulations for how the “park” was to be managed. It was merely an assurance that public persons would have access to such magnificent features.

With Yosemite Valley established as a state park, the enthusiasm for national parks waned over the next five years. Finally, in 1869 the first of three expeditions to Yellowstone made its pivotal trip. Hoping to confirm the rumors spreading in the East of Yellowstone’s incredible scenery, a man by the name of Charles W. Cook set out with several men on a private enterprise. His journal, complete with a list of necessary provisions (including a pick ax for prospecting), concluded with one of the first predictions of Yellowstone as being “broken by crowds of pleasure seekers which at no distant day will throng its shores.”<sup>18</sup> Nathaniel P. Langford and Henry D. Washburn led the second private expedition in 1870, only to be followed by the final and most famous excursion in 1871. Under the guidance of Ferdinand Vandiveer Hayden, director of the Geological and Geographical Survey of the Territories, the last expedition was the corner stone in furthering Yellowstone as a national “pleasuring-ground.” Strictly official, the expedition was under scientific and military orders by the U.S. Government to report any

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<sup>17</sup> *Yosemite Act*. 13 Stat. 325, 38<sup>th</sup> Cong., 30 June 1864.

<sup>18</sup> Charles W. Cook, *The Valley of the Upper Yellowstone: An Exploration of the Headwaters of the Yellowstone River in the Year 1869*, Ed. Aubrey L. Haines, (Norman: University of Oklahoma Press, 1965), 40.

and all discoveries or findings. Hayden later claimed that it was he who made the original suggestion that the park become a national arena, a proposition that he deemed to be a “natural...unavoidable proposal.”<sup>19</sup>

However, the “preservation” of Yellowstone was not an important issue. In fact, the concept of preservation was largely unknown in the 19<sup>th</sup> century and did not become a major factor until well into the 1900s. As an agent acting on behalf of the United States government, Hayden may have been responding to the growing enthusiasm for free enterprise. Albert Peale, a mineralogist accompanying the expedition, also kept a faithful journal in which he suggested that it “[required] no stretch of the imagination to see this place in the near future thronged with invalids drinking this water and bathing in it for their health.”<sup>20</sup> Each of the expedition’s members believed “the land around them would soon be taken up by private interests and that the beautiful formations would be carried off for mercenary purposes”. The only solution was government control.<sup>21</sup>

Hayden and Langford clearly could not have convinced Congress of the need for a national park by themselves. At their side was the beneficial help of the railroad companies, all too eager to lend their services through lavish offers of development for purposes of tourism and economic means. If national parks were established, efficient means of transportation would be necessary in order to enable visitors the chance to see the great wonders of America. The potential for economic revenue by means of tourism struck a chord with Congress, who perceived Yellowstone as an “enchanted island” of public resorts and spas where people would be able to escape the chaotic, noisy, busy

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<sup>19</sup> Hiram Martin Chittenden, *Yellowstone National Park*, (California: Stanford University Press, 1954), 68.

<sup>20</sup> Marlene Deahl Merrill, ed. *Yellowstone and the Great West: Journals, Letters, and Images from the 1871 Hayden Expedition*, (USA: University of Nebraska Press, 1999), 128.

<sup>21</sup> Chittenden, 68.

world and enjoy the carefree, refreshing landscape.<sup>22</sup> Aesthetics became an important factor, and advocates of the park pointed out the use of thermal springs as being healing centers of medicine for the sick and invalid, while the tourist, scientist and foreigner could revel in the park's objects of interest as a source of "health, amusement, and instruction" for all.<sup>23</sup> Yellowstone was en route to becoming the ideal image of a "Romantic" landscape, a gathering ground for all ages, classes, and economic pools.<sup>24</sup>

By 1872, two major impediments stood in the way of the creation of Yellowstone National Park, blocking its progress through Congressional legalities. The first obstacle was the general awareness of possible economic value within the Yellowstone location. Early park supporters perceived the discomfort Congress felt at the idea of reserving land that held potential for mining, logging, or other beneficial industries. Tourism became park supporters' strongest reason for reserving Yellowstone, a clear attempt to compensate for any loss of economic worth of the land itself.<sup>25</sup> In support of the park advocates were the railroad companies, who understood that if Yellowstone was reserved for tourism, methods of transportation would be vital. For railroad companies, Yellowstone held potential as the next Niagara Falls or Saratoga Springs, and stood to be sources of great economic profit.<sup>26</sup> Yet park advocates needed to prove Yellowstone was devoid of significant economic value, and their best strategy was not to simply "justify the park as positively wilderness, but to demonstrate its uselessness to civilization."<sup>27</sup>

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<sup>22</sup> Nash, 16.

<sup>23</sup> U.S. House. Committee on Public Lands, *Yellowstone National Park. Letter from the Secretary of the Interior, in regard to the better protection of the national park from injury.* 45<sup>th</sup> Cong., 2<sup>nd</sup> Sess., 1878, 5.

<sup>24</sup> Sellars, 12.

<sup>25</sup> Ibid., 29.

<sup>26</sup> Nash, 111.

<sup>27</sup> Ibid., 112.

Those in favor of opening the land for resource exploitation had to be convinced that the park lacked worth, with “nothing of any value” to be found in Yellowstone.<sup>28</sup> In his letter to the Secretary of the Interior in 1873, Superintendent Langford recorded, “there is no land in the park suitable for agricultural purposes...no mines have yet been discovered, and it is in the general opinion...that none will be found within the limits of the park.”<sup>29</sup> Almost twenty years later, Muir used the same approach in his description of Yosemite Valley as land not “valuable for any other use than the use of beauty.”<sup>30</sup> Economic worthlessness played a significant factor in determining the fate of Yellowstone and Yosemite National Park.<sup>31</sup>

The second major impediment was the issue of monetary appropriations. Once convinced Yellowstone lacked any significant value the 42<sup>nd</sup> Congress, later responsible for signing the Yellowstone Act, still hesitated to pass the park bill should it eventually require additional funds and government aid. Yellowstone supporters were forced to convince legislators that no requests for monetary aid would be made, and the lands in question retained no other value except for recreational or tourism purposes. In a letter written in 1878 to the Secretary of the Interior, Hayden recalled being “compelled to give a distinct pledge that [he] would not apply for an appropriation for several years or least. Had not Congress been assured that no demands would be made upon them for annual appropriations, it is doubtful whether the Yellowstone bill would have become a law.”<sup>32</sup> Although the Yellowstone Act was finally passed on March 1, 1872, it was only after

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<sup>28</sup> Runte, *National Parks*, 68.

<sup>29</sup> Senate Committee, *Letter from the Secretary of the Interior*, 3.

<sup>30</sup> Runte, *Embattled Wilderness*, 69.

<sup>31</sup> For further discussion of economic worthlessness, see Nash, “Wilderness and the American Mind”.

<sup>32</sup> House Committee, *Yellowstone National Park*, 3.

Congress was entirely convinced that “no additional public burden was to be incurred thereby.”<sup>33</sup> With the heavy assumption that the new park would be completely self-supporting, Yellowstone was left to fend for itself, fated to sink under the weight of an insufficient management system. Lacking funds, “one [wondered] that it survived at all.”<sup>34</sup>

With these two major impediments in mind, the rhetoric used in the Yellowstone and Yosemite Acts openly reflected the attitudes and perceptions towards parks in the 19<sup>th</sup> century. Both only a page in length, the acts called for the parks to serve as a “public...pleasuring-ground for the benefit and enjoyment of the people”, with emphasis placed on the parks as tourist attractions. The Department of the Interior vigilantly stated the goal of the parks was not “to beautify or adorn [the] reservation, but merely to preserve from injury or spoliation the timber, mineral deposits, and various curiosities of that region, so far as possible in their natural condition.”<sup>35</sup> Without explaining what “natural condition” implied, intentions for Yosemite and Yellowstone remained centered on development for public use, serving to stimulate the mental and physical well being of American citizens.<sup>36</sup>

Resembling that of the Yosemite Park Act, the lands of Yellowstone Park were also “reserved and withdrawn from the settlement, occupancy, or sale”<sup>37</sup> (referring primarily to the acquisition of the land by private individuals). Located in parts of Wyoming, Montana, and Idaho, Yellowstone Park encompassed over two million acres—

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<sup>33</sup> Chittenden, 105.

<sup>34</sup> Ibid.

<sup>35</sup> Senate Committee, *Letter from the Secretary of the Interior*, 1.

<sup>36</sup> Sellars, 20.

<sup>37</sup> *Yellowstone Act*, 17 Stat. 32, 42<sup>nd</sup> Cong., 1 March 1872.

making it the largest national park ever created. Compared to the mere fifteen miles of Yosemite Valley, Yellowstone was an unprecedented reservation of land. Yet 21<sup>st</sup> century critics suggest that Hayden specifically included nearly three times the mass of the first park not because of “wilderness preservation, but...from the feeling that there might be other ‘decoration’ as yet undiscovered in the vicinity of the known ones.”<sup>38</sup>

These similarities and lax interpretations of the two park acts demonstrated the inability of the United States government to foresee, or even comprehend, the amount of care and management required by such reservations. Through an incredible sequence of events, the national park idea evolved before the country was prepared to undertake the responsibility assumed with such a daunting task. As a result, the lack of definition and guidelines subjected both territories to an explosion of problems over the next fifty years.

### **Problems Within the Parks: Yosemite and Yellowstone**

The lack of funding proved to be the biggest problem for Yellowstone and Yosemite Parks, and further provided a foundation for other issues within the park system. Left intentionally out of the park acts, the issue of appropriations was not a concern for Congress. Funds for Yellowstone and Yosemite were nonexistent well into the 1880s, resulting in destructive activities such as vandalism and spoliation to remain unhindered. One year after Yellowstone’s creation Nathaniel P. Langford, one of the original park proponents and the first National Park Superintendent of Yellowstone, regretfully acknowledged that the intentions set in the Act of March 1, 1872 were

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<sup>38</sup> Nash, 112.

impossible to perform without monetary aid.<sup>39</sup> Again in 1874, Langford complained that no appropriations had been made “for the purpose of opening the park to the public and of enabling [the] Department to carry into effect the necessary rules and regulations for its government.”<sup>40</sup> Throughout the 1870s and 1880s, park administrators and promoters delivered constant pleas to Congress, requesting for the most “moderate sum” in order to give the administration “a start as well as greater executive power” with which to carry out its tasks.<sup>41</sup> Under the assumption and promise that the parks were to remain non-reliant upon governmental aid, Congress repeatedly hesitated, referring to the first request for appropriations on March 1, 1875 as simply “too early.”<sup>42</sup> Without funding to make the necessary changes, Yellowstone and Yosemite Park conditions slumped.

Three more years passed until finally, on June 13, 1878, Congress agreed to furnish \$10,000.00 to “protect, preserve, and improve the Yellowstone National Park.”<sup>43</sup> The amount was still far too small to be of sufficient use, and park visitor’s continued to express their “[disgust] with the physical conditions that [prevailed] in some of [the parks].” A testament to the worsening conditions, these complaints subsequently placed the blame for such detriment on the park system and country as a whole.<sup>44</sup>

Superintendents fervently denied their responsibility in the problem, submitting that any

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<sup>39</sup> U.S. House. Committee on Appropriations, *Letter from the Secretary of the Interior, relative to an estimate of appropriations for the purpose of enabling his department to carry out the provisions of the Act of March 1, 1872*. 43<sup>rd</sup> Cong., 2<sup>nd</sup> Sess., 1874, 2.

<sup>40</sup> U.S. House. Committee on Public Lands, *Letter from the Secretary of the Interior, transmitting a draught of a bill amendatory of and supplementary to the act entitled “An act to set apart a certain tract of land, lying near the head-waters of the Yellowstone River, as a public park*. 43<sup>rd</sup> Cong., 1<sup>st</sup> Sess., 1874, 2.

<sup>41</sup> House Committee, *Letter from the Secretary of the Interior, transmitting a draught of a bill*, 6.

<sup>42</sup> Louis C. Cramton, *Early History of Yellowstone Park*, (Washington, D.C.: Government Printing Office, 1932), 40.

<sup>43</sup> *Ibid.*, 41.

<sup>44</sup> U.S. House Committee on Public Lands, *Establishment of a National Park Service. Hearing before the committee on Public Lands*. 62<sup>nd</sup> Cong., 2<sup>nd</sup> Sess., 1912, 10.

failure or worsening condition within the parks was not an administrative responsibility—so long as there was no money to be applied for the correction of such problems.<sup>45</sup> Responsibility for such neglect and spoliation rested on Congressional failure to take necessary action in ensuring the provisions contemplated in the Act of March 1, 1872 were completed.<sup>46</sup>

Nonetheless, early park administrations were stained with a sense of ineffectiveness, a problem only magnified by the lack of funds. Left without a choice except to ignore the increasing problems, park superintendents turned a blind eye to those which they could do nothing about—most notably vandalism, poaching, theft, and resource exploitation. Compounded with the administrators' own lack of salaried pay, the absence of funds made the job frustrating and susceptible to corruptive tendencies. The "separate and distinct unit" of administrations within the parks allowed for a higher frequency of irregularities in enforcement and regulations, depending largely upon the park's immediate superintendent.<sup>47</sup> Visitor complaints continued to fall upon the deaf ears of powerless superintendents, and the growing "disappointment and resentment" felt by tourists was effective only as far as economics were concerned. Public criticism of flawed park management helped push for better visitor accommodation, not for better preservation standards.<sup>48</sup>

Unfortunately, corruption within the early park system was not an unusual phenomenon. Acting as a "body of police, styled assistant superintendents" were just as inefficient as they were fraudulent. "Creatures of political favoritism," the

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<sup>45</sup> House Committee, *Letter from the Secretary of the Interior, transmitting a draught of a bill*, 2.

<sup>46</sup> House Committee, *Yellowstone National Park*, 4.

<sup>47</sup> House Committee, *Improvement and Management*, 2.

<sup>48</sup> House Committee, *Establishment of a National Park Service*, 7.



superintendents, unused to the services required of them, often “made merchandise of the treasures which they were appointed to preserve.”<sup>49</sup> Exceptionally unsuited and untrained for the job of managing a park, several civilian superintendents made it their personal goal to transfer parklands into the hands of private individuals. Robert E. Carpenter, one of the most notorious superintendents of Yellowstone Park, spent his two years as administrator by pushing for such private ownership, making it clear that the protection and improvement of the park were “matters of secondary considerations.”<sup>50</sup>

With the arrival of the United States Army in Yellowstone shortly after, the hope of controlling corruptive tendencies became slightly more optimistic. However, the army was no less susceptible to fraudulent activity as were the previous park administrators. They, too, were faced with inexistent funds, lack of pay, and more importantly, boredom. High levels of corruptive and illegal activity, primarily a result of the “necessarily decentralized nature of law enforcement of the park”, reflected the men’s constant isolation while on duty.<sup>51</sup> Soldiers were frequently “absolutely unfamiliar with the country and their duties as game wardens,” a problem that extended throughout much of the park system’s history.<sup>52</sup>

The third largest problem proved to be a direct result of the ambiguous park guidelines. Monopolistic companies and private enterprises moved into the parks and assumed control over large portions of the land at a time when the push for development was at its height. Surprisingly, these companies were able to legally do so through the

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<sup>49</sup> Chittenden, 108.

<sup>50</sup> *Ibid.*, 109. *R. Carpenter resigned in 1886, just two years after accepting the position. Ise also includes a brief discussion of Robert E. Carpenter and his period of administration as secretary in Ise, 41.*

<sup>51</sup> Karl Jacoby, *Crimes Against Nature: Squatters, Poachers, Thieves, and the Hidden History of American Conservation*, (Los Angeles: University of California Press, 2001), 109-110.

<sup>52</sup> *Ibid.*, 110.

park acts, which allowed individuals to enter contracts granting them the right to use parklands for the purpose of commercial growth in Yosemite and Yellowstone Park. Regulated monopoly, often disguised under the interests of park development for public uses, was a vital part of the Congressional “theory of competition,” and viewed as a necessary and beneficial system through which development could occur.<sup>53</sup> Early promoters of Yellowstone and Yosemite expected to support the parks through funds derived from leases accrued, an assumption that rationalized Congress’s encouragement of railroad and hotel companies to be the first enterprises to reside in the parks. It was believed that their actions, if motivated by self-interest, would actually help enhance the development and management of natural resources.

By the 1880s, the parks remained severely underdeveloped, inaccessible, and too extensive for a few people to successfully manage without assistance. Over the next few decades, the parks were victimized by the emergence of two basic utilitarian principles: tourism and public recreation, both funded and supported by the railroad and hotel industries who took advantage of the need for development. Under the pretense of developing the parks for public benefit, the railroad companies offered their assistances in the form of major transportation reforms. The Yellowstone Park Improvement Company was one of many major participants who took advantage of the “rare opportunity” presented to parties—an opportunity in which they could “exploit the government for their private emolument under the generous guise of improving the park and catering to the comfort of the tourist.”<sup>54</sup> Encouraged by the park administration, hotel

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<sup>53</sup> House Committee, *Establishment of a National Park Service*, 11.  
John Ise, *Our National Park Policy: A Critical History*, (Washington, D.C.: John Hopkins Press, 1961), 39.

<sup>54</sup> Chittenden, 106.

businesses followed suit and began to build lavish visitor accommodations. Both major enterprises operated under the objective of putting “as many [railroads and hotels] as [they] could in there.”<sup>55</sup> Not to be outdone, the logging and mining companies also competed for use of the parks to feed their consumptive appetite for natural resources.<sup>56</sup>

In 1886, the Yellowstone Park Association took over the bankrupt Yellowstone Park Improvement Company, and signed a lease intended to be effective until 1892. The clause of the lease enabled the company to use bricks, quarry stone, and use any dead or fallen timber in the park—so long as a faithful record was kept. It also granted the company the right to install utility pipes, erect and maintain telegraph and telephone poles, and use the grasses for livestock grazing. Although these provisions were only to be done as necessary to accommodate guests and other persons, the company subjected the lease to lax interpretation and abuse.<sup>57</sup> The lease made it clear that nothing was to be done that would prevent the public’s access to any geyser or object of curiosity in the park.<sup>58</sup> Based largely on the honor system, the Yellowstone Park Association lease allowed the company to exercise unrestricted use of the parklands.

While the aforementioned companies proved to be several of the largest monopolies at the turn of the 20<sup>th</sup> century, these corporations amounted to little under the National Park Transportation Association. After acquiring the right to be the sole transportation company entering and leaving Yellowstone, the National Park Transportation Association went so far as to guarantee that no visitor would “subjected to the hazard and inconvenience of walking over any portion of the journey through the

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<sup>55</sup> House Committee, *Inquiry into management of Yellowstone*, 7.

<sup>56</sup> Sellars, 15.

<sup>57</sup> U.S. House Committee on Public Lands, *Inquiry into management of Yellowstone National Park, with testimony and minority report*. 52<sup>nd</sup> Cong., 1<sup>st</sup> Sess., 1891, 27.

<sup>58</sup> House Committee, *Inquiry into management of Yellowstone*, 28.

park.”<sup>59</sup> The Northern Pacific Railroad (NPR), another major railroad company, repeatedly sought the exclusive right to trade corridors within the park boundaries.<sup>60</sup> Like the others, the NPR heartedly endorsed private enterprise and emphasized the need for park development in order to better accommodate visitors and boost economic profits.<sup>61</sup> With one foot firmly in the door, railroad companies quickly gained the upper hand and took advantage of a system lacking sufficient rules, regulations, and policies effective in preserving the parks.

Simultaneously, the increasing number of privately owned lands within the parks quickly became a problem equivalent to those presented by monopolies. Still legally sanctioned under both the Yellowstone and Yosemite Park Acts, the detriment accrued by individual homesteaders expanded alongside large-scale private interests. Subsequent companies (which included mining, water projects, and individual enterprises) subjected the parks to a continuous onslaught of “sabotage bills”, proposals that called for new transportation lines, mines, and dams. Such enterprises began to “seriously interfere with the proper administration of the parks and [impaired] their usefulness and beauty in many ways.”<sup>62</sup> The existence of such holdings had profound effects on the parklands well into the 1900s, causing tourism conditions to become hazardous while decreasing visitor enjoyment.<sup>63</sup> No changes were made to alter the park acts, allowing individuals to maintain their access to leases within the parks. Such oversight on behalf of the park system helped quicken the deterioration of the parks’ conditions. Compounded with

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<sup>59</sup> House Committee, *Inquiry into management of Yellowstone*, 50.

<sup>60</sup> *The Northern Pacific Railroad was centered in Yellowstone, while the sister company, the Southern Pacific Railroad, was based out of Yosemite.*

<sup>61</sup> Sellars, 9.

<sup>62</sup> House Committee, *Improvement and Management*, 7.

<sup>63</sup> Horace M Albright and Robert Cahn, *The Birth of the National Park Service: The Founding Years, 1913-3.*, (Utah: Howe Brothers, 1985), 173.

ineffective guidelines and easily manipulated leases, private interests and their contracts were major contributors to the detriment of the park system.

It is important to note that the lack of immediate change regarding private interests was primarily a result of the political spectrum in the late 1800s and early 1900s. Any restriction of potentially exploitative political agendas posed a threat to voting numbers and the ability to sway decisions in Congressional issues. These moral conflicts found within individual interests paved the road for bad “preservation” techniques, and often promoted the degradation of the environment. William Kent, an influential congressman in the early 20<sup>th</sup> century, was one of the many individuals in Congress who was governed by self-interest. Kent opposed the growing campaign that sought to ban livestock grazing in the parks, and offered the argument that grazing actually produced beneficial effects by reducing the foliage responsible for forest fires.<sup>64</sup> However, it was well known that Kent’s personal ranch in Nevada, along with several of his rancher friends, depended on their ability to graze their livestock on parklands. Without this resource, the ranching businesses held by Kent and his friends would be threatened and significantly impaired.<sup>65</sup> Personal agendas in the political spectrum were not uncommon and merely reflected the political scheme surrounding the parks in the 19<sup>th</sup> century.

The corruptive, weak administrative system coupled with the explosion of monopolies within the park establishments merely reflected another problem set within the park system. While the Yellowstone Park Act specifically stated that offenses and violations were to be reprimanded, the park system lacked any sort of policy providing

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<sup>64</sup> *This idea was actually a common belief among preservationists and park administrators, who at the turn of the century, had very little science-based research to determine the effects of grazing on the environment.*

<sup>65</sup> Sellars, 37. Also see Albright/Cahn, 35 for a similar discussion on William Kent and the cattle industry.

for the legal jurisdiction of its effective protection. The minimal seasonal control under which the parks were supervised and the inability to apply proper jurisdiction allowed the violations within the park to continue unhindered.<sup>66</sup> During a 1912 hearing for the proposed Bureau of National Parks, the Secretary of the Interior reported that early administrations suffered from “necessarily limited” supervision, and that “considerable difficulty [had] been experienced in protecting the monuments from vandalism, unauthorized exploration and spoliation.”<sup>67</sup> Notable depredation of wild game from hunting and poaching, increased liquor sales, robbery, and vandalism continued unchecked, in part because of the untrained civil officers who were neither experienced in managing parks or had the legal capacity to act on the law enforcement aspect.<sup>68</sup> For several years, the “cautious and prudent Congress” turned their heads from the legal jurisdiction problem.<sup>69</sup> Congress finally passed a bill on June 2, 1920, which provided park administrators with the legal and judicial machinery to punish offenses committed within a national park—a provision that was originally called for almost fifty years earlier.<sup>70</sup>

Within the decade following the establishment of Yellowstone National Park, Yosemite and Yellowstone were placed at the center of a heated battle. Preservation, still an uncommon concept, was drastically overshadowed by the desire to use the parks for public recreation and enjoyment. It was clear, however, that the conditions of the parks

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<sup>66</sup> House Committee, *Improvement and Management*, 8.

<sup>67</sup> U.S. Senate Committee on Public Lands, *To establish national park service*. 62<sup>nd</sup> Cong., 2<sup>nd</sup> Sess., 1912, 5.

<sup>68</sup> House Committee, *Yellowstone National Park*, 4.

<sup>69</sup> *Ise*, 29.

<sup>70</sup> *Ibid.*, 65.

were unacceptable and threatened to further disgrace the country. The need for drastic change was imminent.

### **The Need for Change: 1880-1930**

The escalating problems occurring in the parks and their deteriorating conditions demanded attention. Lack of funds and efficient force had catapulted the administration, and its policies, into extreme failure. Public concerns were repeatedly raised, drawing attention to the necessity of immediate action and lawful force to prevent vandalism from destroying the parks. The United States Army proved to be the only systematic legal force readily available. Although Congress granted national park superintendents the legal capacity to call upon the Department of War for the purpose of sending cavalry troops to Yellowstone and Yosemite Park in 1883, the bill was not enacted until 1886. The length of the army's supervisory role was intended to be temporary; yet once in the parks the U.S. Army authorized complete control until the creation of the National Park Service in 1916. Secretary of the Interior John W. Noble foresaw the extent of the problems in the park system, and predicted the army would be kept in the parks for longer than expected when, in 1890, he "[expressed] the opinion that there will probably be need for troops in...[Yellowstone] for some time to come to protect the reservation from trespassers and the persons and property of visitors from violence at the hands of lawless characters who may be tempted to resort thereby the reason of the fact that no organized civil authority for the enforcement of civil law has been established there."<sup>71</sup>

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<sup>71</sup> U.S. House. Committee on Appropriations, *Military Post, Yellowstone National Park. Letter from the Secretary of the Treasury, transmitting an estimate from the Secretary of War for buildings for the shelter of troops detailed for the protection of Yellowstone National Park*. 51<sup>st</sup> Cong., 1<sup>st</sup> Sess., 1890, 3.

Thus, U.S. Army Captain Moses Harris, one of the few early preservation enthusiasts, relieved the civilian Yellowstone Park superintendent on August 20, 1886. With the army stationed in the park, Captain Harris brought about as many changes as his power allowed. Harris pushed for the full revision, extension, printing and posting of all park regulations for public viewing, while the soldiers helped curb petty offenses—primarily trespassing and firestarting—by making such crimes unprofitable for the offender.<sup>72</sup> However, there were “no laws defining offenses and their punishment”, and the few that did exist were grossly “inadequate for the protection of timber, curiosities, game, etc.”<sup>73</sup> In fact, no law was created for the purposes of legal protection until 1905, when a simple act was passed that allowed park employees to arrest any persons responsible for committing an offense in the employee’s presence.<sup>74</sup> However, prior to 1905 the army’s efforts were restricted by the lack of judicial machinery under which to act with authority. Hampered by Congress, the soldiers were hardly more qualified to be “acting superintendents” than their civilian counterparts.<sup>75</sup>

Five years after the army arrived in Yellowstone, Secretary Noble asked Captain A.E. Wood of the United States Cavalry to become acting superintendent of Yosemite National Park on May 19, 1891.<sup>76</sup> With their hands also tied by legalities, the soldiers in Yosemite Park were subjected to the same lax attitudes in their duty to protect nature. During the army’s park administration, superintendents developed two main approaches

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<sup>72</sup> Ise, 61.

<sup>73</sup> U.S. House. Committee on Territories, *Offenses in Yellowstone National Park*. 52<sup>nd</sup> Cong., 1<sup>st</sup> Sess., 1892, 2.

<sup>74</sup> Ise, 60.

<sup>75</sup> House Committee, *Establishment of a National Park Service*, 9.

<sup>76</sup> Runte, *Embattled Wilderness*, 57.



to “preserving natural conditions”: “to ignore or to manipulate.”<sup>77</sup> The soldiers in both Yellowstone and Yosemite instituted fire-prevention techniques and introduced exotic species into their management of the national parks, while simultaneously beginning extensive efforts to control current, undesirable animal species. Predator reduction—the systematic extermination of all unwanted or disliked animals within the park—became a defining policy that lasted into the late 1920s. Park officers were encouraged to sell any pelts or hides from the animals they killed—actions that were sanctioned under the clause “improvement of the park systems.”<sup>78</sup> The hunting of game and other profitable enterprises served as frequent pastimes of soldiers, which was all too often a response to the tediousness of their jobs.

While 21st century environmental preservationists have not always praised the army’s administration for bringing the most successful or beneficial change, their presence in the park did represent the first acknowledgment of the need for a systematic and tangible legal force within park boundaries. Unfortunately, the army’s departure left the parks unprotected, and grazing and vandalism returned. Their presence had not furthered preservation efforts, and 21<sup>st</sup> century preservationists speculate it may have actually done more damage to the condition of the environment. Nonetheless, the tumultuous 1890s brought a clear warning that the army’s presence was not enough to protect the parks, and more effective change was imminent and necessary.

Although inconsistent and infrequent, emerging interests in nature and wildlife became apparent during the late 19<sup>th</sup> century after repeated proposals by railroad and mining industries to build new transportation lines through Yellowstone (thereby

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<sup>77</sup> Sellars, 22.

<sup>78</sup> Ibid., 72.

reducing its size) were rejected by Congress. From 1880 to 1890 several critical acts were passed in efforts to further preservation awareness, but each failed to initiate noticeable progress when compounded against multiple contradictory acts. Created primarily for the protection of birds and animals in Yellowstone, the Lacey Act, signed into effect on May 7, 1894, also provided for the punishment of criminal action within park borders. In the same year, the Hayes Act indirectly compromised the previous bill by reaffirming the Superintendent's right to grant leases within the park without excluding public access. The emerging concept of proper park management was repeatedly destroyed by subsequent legal actions. The Lacey Act, like others, represented a positive step towards preservation awareness but its progress was just as quickly undone. The interest in wildlife remained limited to the aspects enjoyed most by the visiting public, allowing the "far distant" and "wild country" of Yellowstone to serve as a primary example of park neglect based on management criteria that relied on legislative action and money alone.

The beginning of the 20<sup>th</sup> century offered little consolation to park advocates still searching for sound and adequate management while the fluctuation of progress in preservation awareness continued. When the Antiquities Act was signed in 1906, it provided the government with the ability to preserve land and historical monuments—such as Devil's Tower reserved in 1907—for scientific purposes. Unfortunately at the same time, the act failed to change the ownership policy of the newly reserved land, and left any new parks under the control of the original department. By overlooking this major detail, the unequal and unsystematic distribution of land throughout various

governmental departments continued to inflict major problems in efficient park management.

As the 1900s came to a close, park administrators felt a much greater pressure to develop the parks than had been experienced in previous years, but the public demands for additional, improved roads and adequate facilities were met with a system lacking the capacity to provide equal and uniform development. The thirteen parks that comprised the park system were managed on an individual basis, making equal development and funding for the major parks, especially Yosemite and Yellowstone, impossible. Only an organized function with the ability to retain “immediate and direct control to remedy the evils” could bring about the necessary change.<sup>79</sup> Unfortunately from 1900 to 1910, Yellowstone and Yosemite Park superintendents were forced to compete against government attention and aid currently directed towards irrigation and dam projects, as well as battle proposals to extend winter grazing and notorious incompetent political concessionaires who had hounded the parks since the 19<sup>th</sup> century.

Administrative officials, under pressure to develop the parks, began to propose creating a separate government bureau under which the national parks would be placed. The current system of disconnected parks and their uncoordinated superintendents was, as stated by Secretary of the Interior Walter Lowrie Fisher, “more or less an accident.”<sup>80</sup> The “ineffective and clumsy and awkward” method devised by the government for handling such affairs was “chaotic,” leaving administrators and the Secretary of the Interior feeling “handicapped” and overwhelmingly embarrassed by the lack of necessary

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<sup>79</sup> House Committee, *Inquiry into management of Yellowstone*, 64.

<sup>80</sup> House Committee, *Establishment of a National Park Service*, 6.

machinery.<sup>81</sup> By 1912, park supervision was still uncentralized, with effective change possible only if the parks were “grouped together, under a single administrative bureau specifically charged with such work.”<sup>82</sup>

More importantly, behind this push for organized development stood the ugly truth—organized or not, the parks were going to be developed. It is interesting to note that several of the most defining moments of administrative policy failure directed at development emerged during the same years as the push for the National Park Service. The Hetch Hetchy Valley of Yosemite National Park had, like its sister parks, managed to withstand large-scale attempts for development. Repeated attacks to use the vast park resources were nothing new, including numerous government recommendations in 1904 and 1905 to remove certain Yosemite mineral deposit areas from protection.<sup>83</sup> Yet each time Congress withdrew small and seemingly insignificant portions of the national parklands for resource exploitation, they opened the doors for larger efforts demanding access to the protected resources of Yosemite and Yellowstone. Finally on September 24, 1913, after nearly twelve years of struggle, Congress passed the Raker Act, which authorized the city of San Francisco the right to build a dam and reservoir on the Tuolumne River in the Hetch Hetchy Valley. Done in response to the growing need for a municipal water supply for residential areas, the loss of Hetch Hetchy Valley symbolized

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<sup>81</sup> U.S. House. Committee on Public Lands, *National Park Service. Hearing before the committee on the Public Lands*. 63<sup>rd</sup> Cong., 2<sup>nd</sup> Sess., 1914, 7.

<sup>82</sup> House Committee, *Improvement and Management*, 6.

<sup>83</sup> *The government finally realigned Yosemite's borders, and opened 542 square miles for resource exploitation in 1905. For more on the development of Yosemite National Park, see Runte, 63.*

the futile fight against the utilitarian demands of the country.<sup>84</sup> The opposing campaign was directed by John Muir, whose revolutionary transcendentalist beliefs led him to believe that nature had intrinsic value—a quality that could not be undermined by public use and development. Although Muir was never completely associated with Yellowstone National Park, his valiant efforts to protect Yosemite National Park proved to be vital in delaying its piecemeal dismemberment. Although the public arena realized the magnitude of this loss only in hindsight, the failure of national park policy to protect the parklands fortunately helped bring the need for “effective administration” one step closer to reality.<sup>85</sup>

The most ironic aspect to this tragic history, however, was the parallel emergence of the National Park Service campaign, which, under the guidance of Stephen T. Mather, had started two years earlier in 1911. A strong environmental proponent, Mather was swayed by a utilitarian outlook of natural resources. He emphasized the use of 19<sup>th</sup> century rhetoric when describing the importance of national parks, transforming them into meccas of “wonderful scenery, geysers, boiling springs...mountains, magnificent waterfalls... brilliant-hued and ice-sculptured canyons,” complete with wild and strange animals.<sup>86</sup> Mather’s use of descriptive imagery further mandated the double standard of use and preservation, however obscure the latter concept remained.<sup>87</sup>

Extremely visitor oriented, Mather focused on creating successful venues for recreational tourism, which later resulted in the advertisement of parks as centers of

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<sup>84</sup> *San Francisco had petitioned the federal government for permission to dam the valley since 1901, but had been interested in Yosemite Valley since the 1880s. President Woodrow Wilson signed the final act on December 19, 1913. For more discussion on the Hetch Hetchy controversy, see Rune, Yosemite: The Embattled Wilderness.*

<sup>85</sup> Senate Committee, *To establish national park service*, 2.

<sup>86</sup> House Committee, *Improvement and Management*, 17.

<sup>87</sup> Sellars, 45.

outdoor seasonal sports, including activities such as hiking, fishing, skiing, camping, dancing, golfing, and swimming.<sup>88</sup> The objective of the to-be bureau was to promote recreation, and in doing so, remained strong in anti-preservation practices; less was done for the scenic-based preservation of natural resources and wilderness than was for the economic boom in recreational tourism.<sup>89</sup> Mather's utilitarian influence carried over into his young protégé, Horace M. Albright, who during times of Mather's unstable health continued the Secretary's push for the creation of a National Park Service.

Economics and efficiency played a significant role in determining the future of a national park bureau, proving once again to be constant themes in national park history. The Forest Service, led by Gifford Pinchot, sided with Congress on its disapproval for a National Park Service based on an economical standpoint. As Director of the Forest Service and a large advocate of conservation, Pinchot was convinced that any systematic management of the national parks would encroach on the forestry domain. The new bureau threatened to seize lands previously held under the Forest Service and in doing, so remained a potential rival vying for the same attention and limited funds from the government.<sup>90</sup>

Congress, too, had its reservations. Much like the 42<sup>nd</sup> Congress of 1872, the 64<sup>th</sup> Congress was deeply reluctant to establish a bureau that would require money from an already hurting economy, and faced similar questions of how much money could be spared on such a project. Indeed, the national parks were often the first place to forgo expenditures on. In the 1912 House Committee on Public Lands hearing concerning the

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<sup>88</sup> Linda Wedel Green, *Yosemite: The Park and its Resources: Volumes 1-2*, (Washington, D.C.: Government Printing Office, 1987), 531.

<sup>89</sup> Sellars, 87.

<sup>90</sup> Albright/Cahn, 34.

establishment of the National Park Service, Secretary Fisher convincingly testified that the “additional expense of administration would not be as much as it would be under the [current] hap-hazard system,” particularly if developmental aspects were taken into consideration.<sup>91</sup> Regardless, the debate over economics had reached such intensity that by 1914, President William Howard Taft had coined the phrase “Utility involves expense.”<sup>92</sup> The first of his letters supporting a National Park Service was written in 1911, when he delivered a message to Congress earnestly recommending the bureau’s establishment as “essential to the proper management of those wondrous manifestations of nature so startling and so beautiful that everyone [recognized] the obligation of the Government to preserve them.” The President later added that such a bureau was necessary “for the edification and recreation of the people.”<sup>93</sup>

On August 25, 1916, after its long struggle for approval by Congress, President Woodrow Wilson signed the National Park Service Act into effect. For the first time since their creation, Yosemite and Yellowstone National Park, along with the other eleven national parks, were placed under the administration of a single director within the Department of the Interior. With a structured salary and complete authority, the Director’s job was to “promote and regulate” the use of the national parks, while acting on the department’s behalf to “conserve the scenery and the natural and historic objects and the wild life.”<sup>94</sup>

On the surface, it appeared that the National Park Service represented a victory in the major battle for protection of the national parks. Indeed, in some ways it was.

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<sup>91</sup> House Committee, *Establishment of a National Park Service*, 9.

<sup>92</sup> House Committee, *National Park Service*, 6.

<sup>93</sup> House Committee, *National Park Service*, 2.

<sup>94</sup> Public Law 235, *National Park Service Act Organic Act*, 64<sup>th</sup> Cong., 25 August 1916.

However, within the Organic Act (as the National Park Service Act became known) appeared an outline of policies that neither changed previous operations of “preservation” nor defined any of the former stipulations in question. Rhetorical changes from the word “preserve” to “conserve” reflected the utilitarian forces behind the Act itself, while leaving the parks “unimpaired” was left without any signifying mention as to its meaning. Instead, emphasis on a new word, “undeveloped”, gave way to a host of various translations and the associated problems. Park administrators accepted “undeveloped” as “unimpaired”; a standard that allowed undeveloped land, namely that in the farthest reaches of the parks, to be seen as unimpaired and in “pristine” condition. The inaccessible and often un-extraordinary backcountry was the “evidence” that the national parks were being “preserved”.

Manipulation of wildlife and flora was also not seen as an impairment and, based on the interpretation of “development”, was legitimized by the Organic Act itself.<sup>95</sup> Although not considered a new practice, park rangers continued the extensive predator control efforts started almost twenty years earlier by the army. The “destruction of such animals and of such plant life deemed detrimental to the use” of the parks was carried out nonchalantly by park volunteers and rangers. This mode of “preservation” was not based on biological science or research, and without the use of such information resulted in complete natural resource manipulation and destruction. Sections 3 and 4 of the Organic Act made virtually no changes to the previous practices of resource management; the “multiple use” policy remained in effect, and moved the definition of “preservation”

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<sup>95</sup> Sellars, 45.



farther away from that of “pristine natural reserves.” It emulated what Congress intended by “unimpaired.”<sup>96</sup>

Clearly, the Organic Act failed drastically on numerous accounts, working only to ensure that nothing threatened to “interfere with free access to [natural curiosities, wonders, or objects of interest] by the public.” The National Park Service had been successfully born, but came equipped with no more of a consensus on how to manage the parks than existed thirty years earlier.

The years following the birth of the National Park Service served as a time of experimentation for the appropriate use and purpose of the parks. With development and natural resource management as primary goals, it was accepted by park administrators that the latter would serve a dual purpose: to boost the tourism market and provide for a tightly joined system of efficient and economically sound management.<sup>97</sup> In a testimony given by Secretary Fisher during a hearing for the Committee on Public Lands, he asserted that along with their development, “national parks should be managed with a view to preserving their scenic interest.”<sup>98</sup> Although few historians have suggested that preservation began its evolution during the early years of the National Park Service, the strong undertone of utilitarianism in the Organic Act and the use of the parks in the future prove otherwise.

With development as the ultimate goal, the fine line between manipulation and improvement crossed with unimpaired preservation. Park rangers were systematically ordered to clear the “dead and decaying timber...away from the roads to a distance of

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<sup>96</sup> Ibid., 43.

<sup>97</sup> Ibid., 4.

<sup>98</sup> House Committee, *Establishment of a National Park Service*, 5.

100 feet”, thin the trees, and introduce grasses and shrubbery to “beautify the roadside and induce game to show themselves.”<sup>99</sup> Park rangers went even further to introduce nonnative plants, fish, shrubs, trees, and grasses—the species of which were chosen based on what public viewers considered beautiful. The protection of popular species, such as deer and certain fish, resulted in the near-extermination of undesirable predators, which included cougar, wolf, coyote, lynx, bobcat, fox, badger, mink, weasel, fisher, otter, and marten. These animals were considered “impairments” to visitor enjoyment, and rangers legitimately proceeded with their discriminatory obliteration of flora and fauna.<sup>100</sup> Methods such as these lent to a new concept of “preservation”, and also created unclear interpretations between what were appropriate uses of national parks.<sup>101</sup>

The national parks were victim to confusion for several more years until finally, in 1918, Secretary of the Interior Franklin K. Lane noticed the problems occurring within the new National Park Service. Lane wrote a critical letter regarding the management of the parks, which served as a guidebook of recommendations to which future park administrators could look for proper management advice. Within his letter he included details regarding grazing restrictions, land holdings, leases, campground sizes, the building of roads and hotels, and even offered qualifications of what was to be considered “national park” status. Lane insisted that national parks be maintained in absolutely unimpaired condition (a term which he, too, failed to define), while being set apart for use, observation, health and pleasure of the people.<sup>102</sup> Emphasis was placed on the importance of national interest in dictating all decisions affecting public or private

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<sup>99</sup> Chittenden, 250.

<sup>100</sup> Sellars, 71.

<sup>101</sup> Ibid., 63.

<sup>102</sup> *Also an active utilitarian, Lane was noted for his involvement in passing the bill to dam Hetch Hetchy Valley in 1913.*

enterprise in the parks.<sup>103</sup> Still, Lane was driven by utilitarianism, and although he upheld the need to abolish private land holdings within national parks (many which existed since the early 19<sup>th</sup> century), he simultaneously encouraged taking advantage of land leases to major benefactors—most notably the railroad companies. His toleration for cattle grazing within park boundaries was nothing more than a silent testimony to the influence of the cattle industry in the early 20<sup>th</sup> century. Clearly influenced by Mather, Lane focused primarily on tourism and outdoor sports in the parks, and openly encouraged motorcycles and automobiles as new avenues to increase park visitation.

The most important aspect of Lane’s letter, however, was his suggestion of “national park” criteria. When Yellowstone Park was created in 1872, park specifications centered on extraordinary curiosities, wonders, or geological interests, but no written record existed to define the “wonderful freaks of physical geography”—or their management.<sup>104</sup> Without any idea of what was considered national park quality, park administrators refrained from ‘actively [seeking] the creation of new national parks’. Great care was instead taken to “develop and administer all such reservations accepted by Congress and entrusted to its care” as of the current status.<sup>105</sup> Congressmen and park officials endorsed the new objective, most with the firm belief that there were too many parks already.<sup>106</sup> However, by the time Lane had written his letter in 1918, public perceptions of national parks had changed dramatically. By the late teens and early 1920s, people wanted more, not less, parks, but were left without a consensus of what was “park worthy”. In an article written for the New York Times on July 4, 1936,

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<sup>103</sup> Department of the Interior, *Secretary Lane’s Letter on National Park Management*, (Washington, D.C. Government Printing Office, 1918).

<sup>104</sup> House Committee, *Establishment of a National Park Service*, 5.

<sup>105</sup> House Committee, *Improvement and Management*, 9.

<sup>106</sup> House Committee, *Establishment of a National Park Service*, 22.

Secretary of the Interior Harold Ickes announced that while “there must be no wasteful extravagance” in creating national parks, “the number of national parks [was] entirely too small.”<sup>107</sup> Lane stressed that new parks were to contain “scenery of supreme and extraordinary or unique as to be of national interest and importance.” These “distinguished examples of...world architecture” were not to be substandard wilderness, but wonderful examples with amazing quality, regardless of the size. He warned that the quality and standard of national parks and the Park Service would decline if the aforementioned provisions were not followed.

Lane’s warning appeared to be based on substantial evidence. By 1917 and 1918, the parks had lost a significant amount of support as the emerging World War I gained national priority. The public arena became increasingly unsure how to receive the new park system and as the war ensued, resentment began to build towards the parks because of the vast amounts of valuable—and untouchable—natural resources. Ranching industries claimed parklands were necessary for cattle grazing in order to provide food for American troops, while mining industries sought mineral deposits and metals for manufacturing weapons. The war made it increasingly difficult for the National Park Service to find support among the American public, and discovered few men were willing to stay and protect the parks over their country.<sup>108</sup> The parks were facing another period of crisis.

With demands for natural resources increasing, the number of sabotage bills directed at parks grew substantially. In 1919, four separate attempts, directed at Yellowstone National Park, were proposed for extensive water projects. Advocated by

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<sup>107</sup> Charles W Hurd, “Roosevelt Urges New Park Areas to Correct ‘Tragedy of Waste,’” New York Times, 4 July 1936.

<sup>108</sup> Albright/Cahn. 57.

Idaho Irrigation, the four plans proposed converting the Fall and Bechler Rivers into dams and reservoirs in order to supply water to eastern Idaho. The company argued that the land in question was nothing but a “worthless swamp”, while records from a survey performed the same year by the U.S. Bureau of Fisheries described it as “one of the most beautiful, if not the most beautiful valleys in all the park.”<sup>109</sup> Manipulations of the truth and lies were neither uncommon nor infrequent, and although Congress rejected the proposals, the underlying motive was all too clear: parks were cheap, tax-free government lands upon which incredible wealth could be accrued.

Development for tourism purposes continued to provide a parallel function of the national parks, and from 1916 to 1920, administrators faced a new problem: the increasing popularity and use of automobiles over horses. Tourism by means of car meant the creation of a better, more extensive road system, and added another stage in the role roads played in national park history. Hiram M. Chittenden, Superintendent of Yellowstone during the late 1890s and early 1900s, voiced his concerns about early road development when he wrote, “The true policy of the government...should...be to make the roads as limited in extent as will meet actual necessities, but to make those found necessary perfect examples of their class.”<sup>110</sup> Later successors heartedly endorsed making the backcountry of national parks accessible by horse or foot only, thus restricting the impact of roads in the parklands. However, like other superintendents and administrators, Chittenden’s wholesome intentions accompanied the assumption that “highways [were] least objectionable of all forms of artificial changes in natural condition,” and were not a

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<sup>109</sup> Ibid., 100.

<sup>110</sup> Chittenden, 240.

bad form of park development.<sup>111</sup> The necessity of roads was obvious and crucial, yet the demand for suitable roadways exemplified an emerging problem.

With nearly half a century of park development behind the National Park Service, the question was no longer how to develop the parks, but how to prevent overdevelopment. When the National Park Service announced its standard, “For adequate development, but against further confusing ensued.”<sup>112</sup> Overdevelopment was too broad of a statement to grasp, and “satisfactory development” remained an enigma. Overdevelopment was clearly bad, but “if there were no development, no roads or trails, no hotels or camps, a national park would be merely a wilderness not serving the purpose for what it was set aside, not benefiting the general public.”<sup>113</sup> The conference speaker Roger W. Toll, the acting Superintendent of Rocky Mountain National Park, commented that “not all of Nature’s treasures are to be seen from the seat of an automobile; one does not receive at twenty miles an hour, the inspiration that results from a pilgrimage on foot.” Roads had become the most visible form of overdevelopment.

Although roads were imperative for visitor transportation within the parks, Toll suggested park administrators focus on the creation of inaccessible areas, places of solitude to awake the deep senses and thoughts only found away from the noise and hum of cars. “The national parks should be a real factor in the building of a better, stronger race,” he stated. Parks must have areas left in their “natural, wild condition”, while others would be fully and partly developed. This compromise on the issue of roads and development in the form of “variety” stood to serve the desires and needs of different

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<sup>111</sup> Ibid.

<sup>112</sup> Roger W. Toll, *Superintendents’ Resolutions on Overdevelopment*. Washington, D.C. Government Printing Office, 1922), 61.

<sup>113</sup> Ibid., 59.

social classes and visitors. Democracy, again, was silently helping to shape the national parks.

By 1923, the National Park Service goal was to “build up within the Park Service the capability to provide services and maintenance and to improve the quality of the experience a visitor could have in a park.”<sup>114</sup> Two years later, on March 11, 1925, Secretary of the Interior Hubert Work issued a Statement of National Park Policy. Within the memorandum, Secretary Work commented on the “changed conditions since the establishment...of the National Park Service,” therefore finding it advisable to “restate the policy governing the administration of the national park system.” He partly reiterated the same suggestions made by Secretary Lane, but added a new approach to nature management.

Contained within Work’s letter were several smaller changes, mostly concerning the ban on cattle grazing, restructured leases, and the elimination of private holdings. What was crucial about Work’s letter was his suggestion to use trained landscape engineers to assist with the designing and building of roads, trails, buildings, and other park facilities. The emergence of science-based research in the 1920s revealed the harmful effects of old preservation on the environment, and called for new preservation standards, which allowed the national parks to “remain under Nature’s own chosen conditions”.<sup>115</sup> Secretary Work was deeply aware of the impact the Park Service could have on the United States as a country and recognized that such a system, so “unequaled for grandeur”, needed to be maintained and preserved. Work upheld Secretary Lane’s

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<sup>114</sup> Albright/Cahn, 137.

<sup>115</sup> Ibid., 175.

desired that new parks “measure up to the dignity, prestige, and standard of those already established.”<sup>116</sup>

On the verge of change, another grappling issue compromised the National Park Service. When the Interior Department formally added recreation to its two-pronged mission of environmental and historic preservation in the 1930s, the three missions experienced large amounts of conflict. With the addition of historic preservation under the Antiquities Act of 1906, the Interior Department became the recipient of enormous amounts of land. The addition of recreation, although a fundamental mission since the early 1900s, posed a direct threat to the preservation of these accumulated parklands. Unable to appropriately satisfy the calling of all three missions without producing conflicting results, the Interior Department experienced a severe setback in the advancement towards preservation.

On the other hand, it is important to note that an outstanding achievement was reached during the mid-1930s. The Department of the Interior was no more organized or efficient than it was in previous years, and major aspects of the National Park Service were located within random departments, the two largest being the Department of Agriculture and War. Each department continued to exercise control over specific sectors related to the Park Service. Not only was the entire arrangement outrageously expensive to operate, but the scattered responsibilities made little sense to park administrators. Encouraged by H.M. Albright in 1932 and 1933, President Franklin Roosevelt called for the reorganization of the Interior Department—an action that would save nearly \$25,000,000 annually. The Reorganization Act was finally passed by

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<sup>116</sup> Hubert Work, *Statement of National Park Policy*, (Washington, D.C.: Government Printing Office, 1925).



Congress and signed by Roosevelt in 1933, resulting in the relocation and consolidation of all administrative functions of public buildings, reservations, national parks, national monuments, and national cemeteries into an Office of National Parks, Buildings, and Reservations.<sup>117</sup> By reorganizing the Department of the Interior, both the government and the public had officially recognized the need for systematic management.

The symbolism of the 1933 Reorganization Act reflected a far more important aspect. The realization of the continued state of disorder—a condition not necessarily fixed but improved by the establishment of the National Park Service—was the first step towards understanding how parks should be maintained. Subsequent efforts made through Secretary Lane’s and Hubert Work’s letters, as well as the conference on Overdevelopment, furthered the emerging value of proper park management and preservation standards. Yet, the Reorganization Act was the final corner stone in a period of transformation and changing views of the parks, and brought the park system closer to the ideal mission rooted within the National Park System.

### **The Past & Present: The National Parks**

Few people hesitate to criticize the 21<sup>st</sup> century National Park Service, but as people continue to gaze with naive fondness upon the Park Service, the battle over use and preservation persists. Contemporary issues such as the push for all terrain vehicles (ATVs) and snowmobiles in the national parks fulfill the recreation mission of the National Park Service, but directly contradict the environmental preservation aspect. Still

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<sup>117</sup> Public Law 428, *Reorganization Act*, 73<sup>rd</sup> Cong., 1<sup>st</sup> Sess., 10 June 1933. *In 1934, the title was restored to the National Park Service.*

viewed as a source of tourism and recreation, the problems existing in today's park system are direct products of the past.

Regardless of its traumatic past, it is a testament to the National Park Service and the nation that the parks survived through a Civil War, a World War, the Depression and Dust Bowl, and above all, a country struggling to find its niche in the large dominion of nationhood. The struggle between resources exploitation for economic wealth and keeping the lands unimpaired for future generations has plagued park administrators since 1872. Through endless eras of failed administration and experimentation for proper management, the parks suffered enormous amounts of damage, balancing on the edge of virtual destruction. Unfortunately, time has revealed that park preservation will continue to be compromised as long as the National Park Service employs the triple mission of environmental preservation, historic preservation, and recreation.

It is amazing to realize the complexity of national park history, having been created before America was fully ready to undertake such a responsibility. As a result, preservation—the core reason for their establishment—was interpreted not as environmental protection, but as a means for safeguarding America's impressive landscapes for the enjoyment of future generations.

## History Thesis Bibliography

### *Primary Sources*

Albright, Horace M. and Robert Cahn. *The Birth of the National Park Service: The Founding Years, 1913-33*. Utah: Howe Brothers, 1985.

*Antiquities Act*. Public Law 209. 59<sup>th</sup> Cong., 8 June 1906.

Cook, Charles W. *The Valley of the Upper Yellowstone: An Exploration of the Headwaters of the Yellowstone River in the Year 1869*. Edited by Aubrey L. Haines. Norman: University of Oklahoma Press, 1965.

Cramton, Louis C. *Early History of Yellowstone Park*. Washington, D.C.: Government Printing Office, 1932.

Department of the Interior. *General Information Regarding the National Monuments*. Washington, D.C.: Government Printing Office, 1917.

----- . *Secretary Lane's Letter on National Park Management*. Washington, D.C. Government Printing Office, 1918.

Hurd, Charles W. "Roosevelt Urges New Park Areas to Correct 'Tragedy of Waste.'" New York Times. 4 July 1936.

Mackenzie, George G. "Despoiling the Yosemite." New York Times. 20 July 1890.

Merrill, Marlene Deahl, ed. *Yellowstone and the Great West: Journals, Letters, and Images from the 1871 Hayden Expedition*. USA: University of Nebraska Press, 1999.

*National Park Service Act Organic Act*. Public Law 235. 64<sup>th</sup> Cong., 25 August 1916.

"Outlines Park System Policy: Organic Act Interpreted." New York Times. 29 March 1925.

*Reorganization Act*. Public Law 428. 73<sup>rd</sup> Cong., 1<sup>st</sup> Sess., 10 June 1933.

The Associated Press. "The President's Address on Parks." New York Times. 6 August 1934.

"The National Parks." New York Times. 17 December 1912.

Toll, Roger W. *Superintendents' Resolutions on Overdevelopment*. Washington, D.C.: Government Printing Office, 1922.

- U.S. Congress. Committee on Public Lands. *Inquiry into management of Yellowstone National Park, with testimony and minority report.* 52<sup>nd</sup> Cong., 1<sup>st</sup> Sess., 1891.
- U.S. Department of the Interior. *Letter from the Secretary of the Interior, accompanying a report from the Superintendent of the Yellowstone National Park for the year 1872.* 42<sup>nd</sup> Cong., 3<sup>rd</sup> Sess., 1873.
- U.S. House. Committee on Appropriations. *Improvement and Management of national parks. Letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of the Interior relating to the administration of the appropriations for the improvement and management of national park, and submitting an item of legislation relating thereto.* 64<sup>th</sup> Cong., 1<sup>st</sup> Sess., 1916.
- . *Military Post, Yellowstone National Park. Letter from the Secretary of the Treasury, transmitting an estimate from the Secretary of War for buildings for the shelter of troops detailed for the protection of Yellowstone National Park.* 51<sup>st</sup> Cong., 1<sup>st</sup> Sess., 1890.
- . *Letter from the Secretary of the Interior, relative to an estimate of appropriations for the purpose of enabling his department to carry out the provisions of the Act of March 1, 1872.* 43<sup>rd</sup> Cong., 2<sup>nd</sup> Sess., 1874.
- U.S. House. Committee on Expenditures in the Executive Departments. *Consolidation, transfers, and abolition of executive agencies. Message from the President of the United States transmitting an Executive order for certain regroupings, consolidation, transfers, and abolitions of executive agencies and functions thereof.* 73<sup>rd</sup> Cong., 1<sup>st</sup> Sess., 1933.
- U.S. House. Committee on Public Lands. *Yellowstone National Park. Letter from the Secretary of the Interior, in regard to the better protection of the national park from injury.* 45<sup>th</sup> Cong., 2<sup>nd</sup> Sess., 1878.
- . *Letter from the Secretary of the Interior, transmitting a draught of a bill amendatory of and supplementary to the act entitled "An act to set apart a certain tract of land, lying near the head-waters of the Yellowstone River, as a public park.* 43<sup>rd</sup> Cong., 1<sup>st</sup> Sess., 1874.
- . *National Park Service. Hearing before the committee on the Public Lands.* 63<sup>rd</sup> Cong., 2<sup>nd</sup> Sess., 1914.
- . *Establishment of a National Park Service. Hearing before the committee on Public Lands.* 62<sup>nd</sup> Cong., 2<sup>nd</sup> Sess., 1912.
- U.S. Senate. Committee on Public Lands. *To establish national park service.* 62<sup>nd</sup> Cong., 2<sup>nd</sup> Sess., 1912.

U.S. House. Committee on Territories. *Offenses in Yellowstone National Park*. 52<sup>nd</sup> Cong., 1<sup>st</sup> Sess., 1892.

Work, Hubert. "Article 11- Untitled." New York Times, 1 January 1926.

----- . *Statement of National Park Policy*. Washington, D.C.: Government Printing Office, 1925.

*Yellowstone Act*. 17 Stat. 32, 42<sup>nd</sup> Cong., 1 March 1872.

*Yellowstone Amendment Act*. 53<sup>rd</sup> Cong., 2<sup>nd</sup> Sess., 7 May 1894.

*Yosemite Act*. 13 Stat. 325, 38<sup>th</sup> Cong., 30 June 1864.

### ***Secondary Sources***

Carr, Ethan. *Wilderness by Design: Landscape Architecture and the National Park Service*. London: University of Nebraska Press, 1998.

Chase, Alston. *Playing God in Yellowstone*. New York: The Atlantic Monthly Press, 1986.

Chittenden, Hiram Martin. *Yellowstone National Park*. California: Stanford University Press, 1954.

Demars, Stanford E. *The Tourist in the Yosemite, 1855-1985*. Utah: University of Utah Press, 1991.

Dilsaver, Lary M, ed. *America's National Park System: The Critical Documents*. New York: Rowman & Littlefield Publishers, Inc., 1997.

Everhart, William C. *The National Park Service*. Colorado: Westview Press, Inc., 1983.

Greene, Linda Wedel. *Yosemite: The Park and its Resources: Volumes 1-2*. Washington, D.C.: Government Printing Office, 1987.

Ise, John. *Our National Park Policy: A Critical History*. Washington, D.C.: John Hopkins Press, 1961.

Jacoby, Karl. *Crimes Against Nature: Squatters, Poachers, Thieves, and the Hidden History of American Conservation*. Los Angeles: University of California Press, 2001.

Lowry, William R. *The Capacity for Wonder: Preserving National Parks*. Washington, D.C.: The Brookings Institution, 1994.

Mackintosh, Barry. *Interpretation in the National Park Service: A Historical Perspective*. Washington, D.C.: Government Printing Office, 1986.

------. *The National Parks: Shaping the System*. Washington, D.C.: Government Printing Office, 1991.

Meyerson, Harvey. *Nature's Army: When Soldiers Fought for Yosemite*. Kansas: University Press of Kansas, 2001.

Miles, John C. *Guardians of the Parks*. Washington, D.C.: Taylor & Francis Publishers, 1995.

Miller, Char, ed. *American Forests: Nature, Culture, and Politics*. Kansas: University Press of Kansas, 1997.

Nash, Roderick Frazier. *Wilderness and the American Mind*. London: Yale University Press, 2001.

Rettie, Dwight F. *Our National Park System*. Chicago: University of Illinois Press, 1995.

Runte, Alfred. *National Parks: The American Experience*. Nebraska: University of Nebraska Press, 1997.

------. *Yosemite: The Embattled Wilderness*. Nebraska: University of Nebraska Press, 1990.

Sellars, Richard West. *Preserving Nature in the National Parks*. London: Yale University Press, 1997.

U.S. Department of Agriculture. *Recreation Site Planning and Improvement in National Forests, 1891-1942*. Washington, D.C.: Government Printing Office, 1980.

U.S. Department of the Interior. *National Park Service Administrative History: A Guide*. Washington, D.C.: Government Printing Office, 1991.

Wagner, Frederic H., Ronald Foresta, R. Bruce Gill, Dale R. McCullough, Michael R. Pelton, William F. Porter, and Hal Salwasser. *Wildlife Policies in the U.S. National Parks*. Washington, D.C.: Island Press, 1995.